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ABSTRACT

Intended as springboards to help secondary school teachers implement lessons and activities in citizenship and law-related education (LRE), the lessons in this booklet represent a sampling of ideas that can readily be used in social studies and other courses to supplement and reinforce the development of selected concepts and skills. Goals stated in the introduction include (1) the increased understanding of the social, political, and legal institutions, values, processes, and principles of constitutional democracy; (2) the development of skills necessary to function as effective and responsible citizens; and (3) the understanding of and willingness to use democratic processes and procedures when participating in decision making and management of conflict. Fourteen lessons follow a discussion about the infusion of citizenship/law-related education, the conceptual basis of LRE lessons, the value of developing critical thinking skills, and basic principles and assumptions underlying LRE. Each lesson includes an overview, objectives, time requirements, materials needed, and procedures. Student handouts are provided where appropriate. Teaching strategies include the use of games, case study analysis, group discussion, student reading, and participation in conflict resolution situational activities. (LH)

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LRE Ideas and Lessons on Citizenship/Law-Related Education

SD 016 963

Office of Instructional Services/General Education Branch □ Department of Education
State of Hawaii □ RS 85-8007 □ June 1985

The Honorable George R. Ariyoshi
Governor, State of Hawaii

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FOREWORD

Citizenship/law-related education emphasizes the concepts, processes and values of the American legal system. Law-related education (LRE) helps to develop young citizens who can sustain, preserve, and foster our free, democratic society. Based on the experiences of a significant number of schools, teachers and students in Hawaii, LRE has demonstrated promise in revitalizing the on-going curriculum in schools toward achievement of major goals that include the skills and understanding necessary to function as effective and responsible citizens in the community.

The lessons presented in this publication were developed by various LRE specialists and teachers nationally and adapted for use locally by Dr. Tom Thomas, executive director of the Hawaii Council on Legal Education for Youth. They have been validated through successful use by various teachers.

These lessons represent a sampling of ideas that can readily be used in social studies and other courses to supplement and reinforce the development of selected concepts and skills. It is intended that these lessons would serve as springboards to help teachers implement lessons and activities that will enhance their current programs or courses at various grade levels.

Further information and assistance can be obtained from Dr. Elaine Takenaka, General Education Branch, Office of Instructional Services.

Clarence N. Hatanaka
Superintendent

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INTRODUCTION

Citizenship/law-related education emphasizes the concepts, processes, skills and values of the American legal system. The thorough exploration, understanding and application of societal and personal values in relation to the legal system are essential to the successful implementation of curriculum and instructional activities in this field. Development of moral and ethical frames of reference appropriate for citizenship in a democratic society are significant elements in citizenship/law-related education. The goals are to develop:

- an increased understanding of the social, political, and legal institutions, values, processes and principles of our constitutional democracy;
- the skills necessary to function as effective and responsible citizens;
- an understanding of and willingness to use democratic processes and procedures when participating in decision-making and the management of conflict.

Infusion of Citizenship/Law-Related Education

A hurdle most curriculum writers and teachers have to overcome is the overburdened curriculum. Thus the intent of lessons and activities shared in this publication is to help teachers infuse citizenship/law-related education into the existing secondary school curriculum, rather than adding a new subject area.

Infusion is the process of looking for opportunities in the existing curriculum to draw out and develop law-related concepts. Certain concepts common to law and other disciplines are found in subjects already being taught in schools. Examples are concepts such as: justice, responsibility, and equality.

Conceptual Basis of LRE Lessons

The conceptual basis for the selected lessons are drawn from several disciplines:

1. Philosophy
2. Political Science
3. Sociology
4. Law and Jurisprudence
5. Social Psychology
6. Literature
7. History
8. Criminology

From this knowledge base, students can develop an increased understanding of the world around them that could serve them in very practical ways throughout their lives. This includes knowledge they can apply as they participate in civic affairs use democratic institutions, or to solve problems in their personal lives in non-violent ways.

The following concepts form a core around which many lessons focus upon in dealing with selected topics or subject matter: Justice, Responsibility, Equality, Freedom, Authority, Property, Privacy and Diversity.

Critical Thinking Skills

Students need to bridge concepts and beliefs with action. The development of critical thinking skills is essential in this process. The following critical thinking skills are emphasized in the selected LRE lessons:

1. Data Gathering Skills: defining, verifying, locating, compiling, organizing and evaluating information.

2. Intellectual Skills: comparing, classifying, inquiring, synthesizing, inferring, and hypothesizing from data.

3. Problem-solving Skills: considering alternatives and consequences; making decisions and justifying them in terms of democratic principles.

4. Interpersonal skills: seeing situations from the points of view of others; understanding one's beliefs, values, feelings and shortcomings; using generalizations without stereotyping or arbitrarily classifying individuals; working effectively in groups; listening actively; giving and receiving constructive criticism; accepting responsibility and respecting the rights and property of others; persuading, compromising and bargaining.

Principles and Assumptions

There are several principles and assumptions that were considered in developing many of the lessons. Effective teaching provides opportunities for students to work together to solve educational and personal problems and to improve educational opportunities. The process is founded on several principles and assumptions.

Principles

1. Shared Decision Making. People affected by a decision should help make that decision.

2. Choice. The "best solution" is not the same for every student, school or classroom. Solutions need to match the values and resources of each person. To make a choice implies awareness of alternatives.

3. Process. The manner in which a classroom problem is solved or a goal met is often more important than the end product. A systematic process for making choices and changes makes the best use of school and classroom resources.

Assumptions

1. All students have the right to participate in decisions that affect them.

2. Shared decision-making results in decisions that accurately reflect the opinions and knowledge of both teachers and students.

3. Classroom change is ongoing; planned change is more desirable than unplanned change to improve educational opportunities.

4. Communication between faculty and students increases support for school/classroom curricula and programs.

5. Developing communication and problem-solving skills builds student self-reliance and increases the chances that lessons/curricula will be successful.

6. Every person has worth and dignity.

7. Conflict is a natural and common part of classroom/school life and can be used constructively.

Instruction

Most of the lessons included in this guide are experiential and participatory in nature. They tend to require a high degree of student involvement and interaction instead of lectures or "seat-work." Effort was made to balance the more abstract aspects of society with the more practical analysis of interesting case studies.

Teachers are encouraged to demonstrate effective strategies such as:

1. Inform students about the purpose and goals of lessons and activities.

2. Provide frequent opportunities for student practice.

3. Treat topics in suitable depth.

4. Summarize and check student understanding of materials and topics covered.

Most of the lessons are appropriate for the secondary level.

Lesson 1: Mind Walk

Lesson Overview

This is an introductory lesson intended to illustrate the pervasiveness of laws in our lives. Students apply their analytical and problem-solving skills and increase their respect for the rule of law in our society.

Lesson Objectives

Students will:

1. understand the extent to which laws govern their daily lives.
2. understand the purposes of laws in our society.
3. have increased respect for laws and other forms of regulations.

Time: About 20 minutes.

Materials: None

Lesson Procedures

1. Introduce lesson and discuss objectives.
2. Tell a story and ask students to raise their hands when a law is involved in the story. Then ask the student what way the law is connected to that part of the story.

Story (Option 1)

David Bradley (1) is 15 years old (2). He enjoys nothing more than riding his bike (3) and allowing his dog (4) to follow along. Thursday he started through Ala Moana Park (5) and met a man who was selling (6) chances (7) to win thousands of dollars (8). David bought a 25-cent ticket (9) and it turned out to be the big winner. He then bought a car (10) and took his dog for a ride (11).

1. legal name
2. birth certificate
3. bike and traffic laws
4. leash laws
5. public places
6. vending laws
7. gambling laws
8. gambling laws
9. monetary laws
10. laws governing motor vehicles and juveniles
11. laws governing operation of motor vehicles

Story (Option 2)

When I got up this morning, I decided what to wear (1) while I brushed my teeth with the newest toothpaste (2). While drinking my orange juice (3) and coffee (4), I listened to the radio (5) and let my dogs out for their morning run (6). When the mail arrived (7), I found a number of bills and circulars advertising property for sale (8). Included was a stamp with my name asking for a contribution of $2.00 (9). When I washed the dishes, the water (10) did not have sufficient pressure so I telephoned (11) city hall.

1. laws against nudity
2. PFDA (Pure Food and Drug Act)
3. PFDA
4. import controls
5. federal licensing
6. local licensing and fencing laws
7. federal laws
8. contract law, truth in lending, fraudulent use of the mails
9. law on unsolicited merchandise
10. municipal services law
11. regulation of public utilities

3. Conclude with a discussion about why laws are necessary in our society.

   a. Think of some aspect of your life that is not regulated by law.
   b. What purposes do laws serve in our society?

      1. Health
      2. Safety
      3. Order
      4. Predictability
      5. Non-violent Conflict Resolution
      6. Protect persons
      7. Protect property
      8. Protect individual rights

Lesson 2: No Vehicles in Ala Moana Park

Lesson Overview

This introductory lesson generates group discussion and starts the first step in developing a cohesive group. Students also experience legal reasoning and apply language skills of speaking, listening and reading. In small groups, they practice communication skills and group processes.

Lesson Objectives

Students will:

1. learn the purpose and function of a law.
2. discover the intent of those who created a law.
3. analyze practical applications of a law.
4. increase respect for legal processes.
5. discover that laws are subject to different interpretations.
6. practice group participation and discussion.
7. learn the difference between the "letter" and "spirit" of the law.

Time: Approximately 40-60 minutes.

Materials

1. Chalk board or butcher paper and easel.
2. Student handouts.

Lesson Procedures

1. Introduce lesson and discuss its objectives.
2. Write on the chalk board, "No Vehicles in Ala Moana Park."
3. Explain to students that the Honolulu City/County Council makes the laws (ordinances) for Honolulu County. The District Court hears violations.
4. Form small groups.
5. Read the story "No Vehicles" to the group. Give each student a copy of the story to silently read along with the teacher.
6. After reading the story, tell students that they are judges who will decide if those who received citations for violating the law are guilty or not.
7. Read the violations to the students. In order to get discussion started, the teacher may want to ask questions related to each violation. Following are possible questions for each situation.

Possible Teacher Questions for Situations in "No Vehicles"

1. Kalani lives on the Diamond Head side of the park and works on the Ewa side. He will save 10 minutes if he drives through the park.

   a. Will you allow Kalani to drive through the park? Why or why not?
   b. Is it important for Kalani to be at work on time?
   c. Wouldn't it save energy and gas if Kalani could drive through the park?
   d. Suppose Kalani will lose his job if he's late one time?
   e. What might happen if Kalani is allowed to drive through the park and not other drivers?

2. There are many trash barrels in the park for people to place their rubbish. Garbage collectors want to enter the park to collect the trash.

   a. Will you allow garbage trucks to enter the park? Why or why not?
   b. Will people visit a dirty park? Why or why not?
   c. Is it unhealthy to allow trash to pile up in the park?
   d. How will the rubbish get removed if trucks can't enter the park?

3. Two HPD police cars are chasing a suspected bank robber down Ala Moana Blvd. If one police car cuts through Ala Moana Park, the officer can get in front of the suspect's car and trap him/her between the patrol cars.

   a. Will you allow the officer to drive through the park?
   b. Does it matter if the bank robber is armed and dangerous?
   c. Would it make any difference if this is the only opportunity for the HPD to catch the robber?

4. An ambulance is racing to the hospital with a dying accident victim. The shortest route is through the park.

   a. Will you allow the ambulance to drive through the park? Why or why not?
   b. Suppose the ambulance is not permitted to cut through the park and the patient dies? Who is responsible?

5. Some children want to ride their bikes in the park.

   a. Will you allow the children to ride their bicycles in the park? Why or why not?
   b. Would it matter if there was a special bike path in the park?

6. Auntie Nalani wants to take her baby to the park in a baby stroller.

   a. Will you allow the baby stroller in the park? Why or why not?
   b. How else would Auntie Nalani get a baby to the park if not in a stroller?
   c. Would it be unfair if mothers with infants could not push strollers in the park?

7. A monument to Hawaii's citizens who died for their country is being constructed in Ala Moana Park. A tank, donated by the U.S. Government, is to be permanently placed in Ala Moana Park beside the monument.

   a. Will you allow the tank to be placed in the park? Why or why not?
   b. Is there anything wrong with monuments being put in parks?
   c. Do you think the fact that this monument is a vehicle should prevent it from being placed in the park to honor our fighting men and women?

Student Handout for Lesson 2

"NO VEHICLES IN ALA MOANA PARK"

Honolulu has a lovely, quiet park and the Honolulu City/County Council wants to make sure that the park stays lovely, clean, safe, unpolluted and not disturbed by city noise. Ala Moana Park is the kind of place where you can find grass, trees and flowers. You also can find playgrounds and picnic areas in the park. In order to make sure that Ala Moana Park stays as it is, the City Council passed a law.

The following sign has been placed at all entrances to Ala Moana Park: "NO VEHICLES IN THE PARK." You are a District Court Judge. Decide guilt or innocence in the following cases. If you decide on guilt then decide what the punishment should be.

Student Handout for Lesson 2

CITATIONS WERE ISSUED IN THE FOLLOWING CASES

1. Kalani lives on the Diamond Head side of the park and works on the Ewa side. He will save 10 minutes if he drives through Ala Moana Park. He received a citation.

2. There are many trash barrels in the park for people to place their rubbish. Garbage collectors want to enter the park to collect trash. The truck driver was given a citation.

3. Two Honolulu Police Department (HPD) cars are chasing a suspected bank robber down Ala Moana Blvd. If one cuts through Ala Moana Park, the officer can get in front of the suspect's car and trap him/her between the patrol cars. The HPD driver received a citation.

4. An ambulance has a dying car accident victim and is racing to the hospital. The shortest route is through the park. The driver received a citation.

5. Some children want to ride their bicycles in the park. They were given citations.

6. Auntie Nalani wants to take her baby to the park in a baby stroller. She was given a citation.

7. A monument to Hawaii's citizens who died for their country is being constructed in Ala Moana Park. A tank, donated by the U.S. government, is to be permanently placed in Ala Moana Park beside the monument. The driver of the tank was given a citation.

Lesson 3: Case Study*

Lesson Overview

Students will learn how to read news articles critically by applying the case study method. They will practice their reading skills and develop their analytical skills.

Lesson Objectives

Students will:

1. learn to skim newspapers for stories they find interesting.
2. analyze a story for the important facts and details.
3. improve their small group communication skills.
4. develop respect for accurate reporting.

Time: Approximately 60 minutes.

Materials

1. Student Handout.
2. Newspapers.

Lesson Procedures

1. Introduce lesson and discuss the objectives.
2. Form students into trios and distribute newspapers.
3. Instruct students to skim the newspaper until they find a law-related article that all three students can agree on.
   a. Distribute Case Study Handout.
   b. Instruct students to analyze the story and complete the information requested on the handout.
4. Ask each group to report their story to the total group.
5. Review and summarize the lesson.
   a. Why is it important to know the facts in a case?
   b. How accurate to you think newspapers are?
   c. What did you learn during this lesson?

*Contributed by Sgt. James Price, Honolulu Police Department.

Case Study Handout for Lesson 3

Directions

Select a news article having to do with the law. Answer the questions below.

Title of Article _____

Date of Article _____

Source of Article _____

I. List the facts in the case.

a. Who? _____

b. What happened? _____

_____

c. Where? _____

d. When? _____

e. Why? _____

f. How? _____

II. Underline words in the article that you discussed in any social studies or other classes.

a. How many words did you underline? _____

b. What was the charge or the crime committed?

_____

III. Classification of the crime. (Check One)

a. Felony_____ Misdemeanor_____ Petty Misdemeanor_____

IV. Was it a Criminal Act?_____ Civil Act?_____
Or both?_____

V. The Solution

What sentence would you order if you were the judge and accused was found guilty?

VI. If there was a decision, what did the court decide?

Lesson 4: What Do You Really See?

Lesson Overview

This lesson introduces students to several concepts important in the criminal justice system: eyewitness reports, observations and evidence. Students will experience the frustrations of trying to accurately recall information.

Lesson Objectives

Students will:

1. discover the difficulties of recalling specific details about an object, person or event.
2. learn several concepts such as due process, eyewitness reports, evidence, justice.
3. improve their observation skills.
4. increase their respect for our judicial system and law enforcement officials.

Time: About 30 minutes.

Materials: None.

Lesson Procedures

1. Do not introduce this lesson or its objectives.
2. Stand in front of the class, providing the group with the best possible visibility to see you. Do not give any clues to the class about the lesson.
3. After making a few remarks (you made up), ask students to place their heads on their desks (or close their eyes), then walk to the back of the room or behind visual divider, but within hearing range.
4. Ask group to raise their heads, take out pencil and paper.
5. Tell the group that you are pretending a crime was just committed in this room and that you, the teacher, are under suspicion.
6. Tell the group to pretend that a police officer (use one if available) has entered the room and needs descriptive information to help find the teacher--suspect. I usually say that the police need the type of information that would help locate the person in a crowd, e.g., football stands, downtown sidewalk on a busy day. Ask students not to "call out" their answers.
7. Instruct students to list three or four descriptive pieces of information (without talking to each other) on their papers, as if they were talking to the police officer. (Sometimes I give examples and other times I don't, depending on what I want to accomplish and how much time I have.) Examples: age, height, weight, hair and eye color, glasses, scars, tattoos, etc.

8. Collect papers and tabulate results on board or butcher paper so the group can see the results. For each item, list the accurate information about yourself.
9. Group discussion.
   a. How accurate were the reports?
   b. What information was most and least accurate? Why?
   c. Would this report have differed if the crime had happened in the classroom, or shots had been fired? (This is a good spot to probe for the influence of emotions on what is remembered by witnesses to crimes.)
   d. What concepts from our legal system were involved in this lesson? (Due process, eyewitness, justice, etc.)

Lesson 5: Eyewitness Report

Lesson Overview

This lesson was specifically designed to generate student interest in law and our judicial system. Students experience what happens when information is communicated from one person to another and discover what type of information is remembered and what type is lost. The students apply critical thinking skills in the process of analyzing the information.

Lesson Objectives

Through this lesson, students focus on:

1. police procedures in a criminal case.
2. the complexities of using eyewitness reports in judicial proceedings.
3. listening skills.
4. concepts of justice and fairness.
5. critical thinking and analytical skills.

Materials

Eyewitness Report handout.

Role Players (6)

Eyewitness, Police Officer, Detective, Prosecuting Attorney, Judge, News Reporter. Use the rest of the class as observers.

Lesson Procedures

1. Introduce lesson and discuss the objectives.
2. Select role players and separate them from the group; out of sight and hearing.
3. Instruct role players and observers regarding their responsibilities. Role-players cannot take notes.
4. Call in the police officer first. Other role-players remain out of sight and hearing. Eyewitness reads the report to the officer.
5. Call in the detective and have the officer report the statement from recall.
6. Call in the prosecuting attorney. Have the detective report as much of the statement as possible to the prosecuting attorney.
7. Next, call in the judge and have the prosecuting attorney report the crime, still relying on recall without notes.
8. Have the judge report the crime to the news reporter.
9. Finally, have the reporter state what he/she would write in a news report about the crime. Now, have the eyewitness re-read the report.

10. Group Discussion:

a. What information was lost? retained?
b. What if there had not been an eyewitness to the crime?
c. What are the implications from this lesson for our system of justice?
d. What are some of the legal concepts that this lesson deals with?

Observers

Observers should carefully listen to the reports and identify what information is lost and what information is retained.

Caution to Teachers

This lesson deliberately exaggerates the loss of information that occurs when it is passed from one person to another. (For example, no note taking or opportunity to ask questions.) This should be pointed out to the group.

Student Handout for Lesson 5

EYEWITNESS REPORT

I just witnessed a robbery! Standing on the corner of Kalakaua and Ohua, I saw a car, either blue or green, stop at the ABC store. It was almost new, four doors, I think. I don't know what kind, maybe Datsun or Toyota. There were three or four persons in the car. They looked young, like teenagers. One jumped out, entered the store. He was tall, had light hair, light blue sweater, and wore either jeans or cords. I heard a shot come from the store; he ran out and the car drove away fast. They headed Diamond Head on Kalakaua, maybe going to H-1. The store clerk came running out, so I don't think she was hurt. That was all I saw because I ran to find a telephone. It was about 8:00 or 8:15 a.m.

Lesson 6: Rule Making Game

Lesson Overview

The purpose of this lesson is to help students understand that rules (policies, statutes, ordinances, treaties) govern local, national and global situations. Students will also experience the confusion and frustration that results when rules are not clear or when rules are subject to continuous and often arbitrary change. Students participate in a discussion about what makes good or bad rules and generate reasons for having rules.

Lesson Objectives

Students will:

1. explain the relationships among policies, rules, statutes and ordinances.
2. identify the difference between a good and a bad rule.
3. experience the emotions that occur when rules are not clear or are constantly being changed.
4. formulate their own rules.
5. increase their respect for rules at home, school and in the community.

Time: Approximately 30 minutes.

Materials

Erasers or pens to play the game.

Lesson Procedures

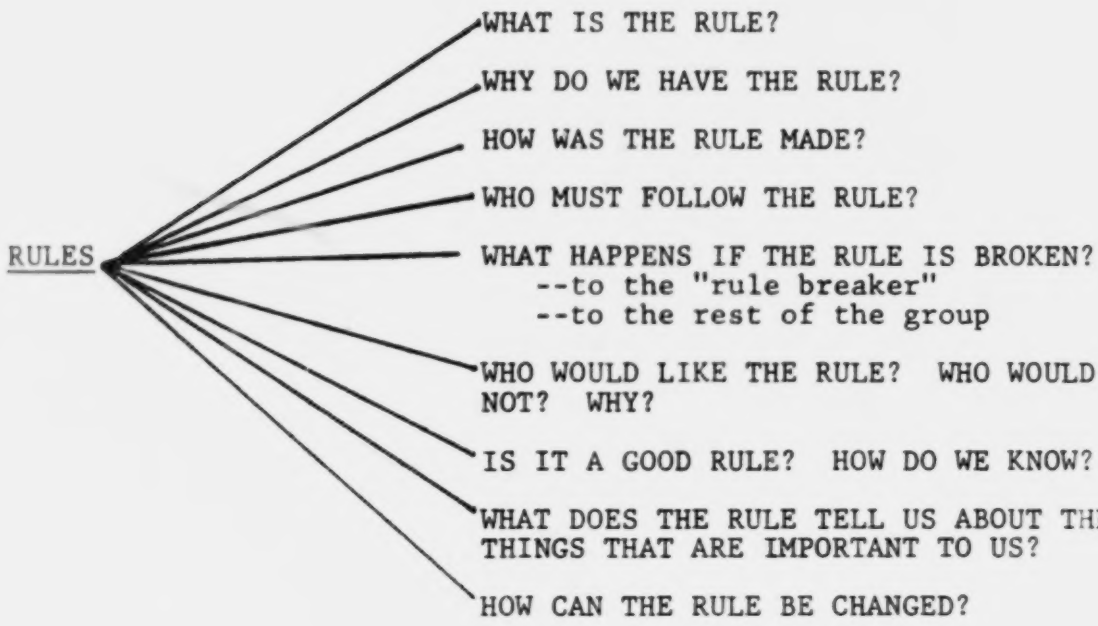
1. Introduce the activity by reviewing the objectives.
2. Distribute two or three erasers or other objects randomly among the group. Instruct students that they can play the game for five minutes. Do not give other instructions. Ask "Why are you not playing the game?" Record responses on board or chart paper.
3. Recall the erasers and arbitrarily give them to specific individuals and declare them winners. Ask "Is the game going better now?" Record reactions.
4. Instruct students to form four or five lines, depending on the number of students involved. Five or six students per line seems to work well. There needs to be enough space between lines so students can pass objects from back to front during the game. Tell students they are going to play a game. The first line (team) finished will be the winner.
5. Stand in front of the lines so you can be seen and heard clearly. Each first-person has an eraser or other object. Pass the object from front to the back of the line and the last person brings the object to the first-person. The line

that gets its object returned to the front first is the winner. When I say "start", begin passing the object. (Do not establish any other rules at this point.)

6. Say "start." After the object has started, stop the game and have the object returned to the first-person. Tell students you forgot to inform them that the object must be passed with the left hand over the right shoulder. Demonstrate the rule so it will be clearly understood by students.
7. Again say "start" and again stop the game and add a new rule you "forgot." Students must stand on one foot (left) as they pass the object with the left hand over the right shoulder.
8. Again say "start" and again stop the game and add another rule: whistle as you are passing the rule.
9. Again say "start" and let the game run its course. Ask students to return to their desks.
10. Review and debrief the lesson.
    a. What were you feeling during this game?
    b. Did anything happen that you thought was fair or unfair during the game?
    c. Are rules always the same in school? in your home? in the community?
    d. What purposes do rules serve in our society? (health, safety, protect individual rights and property, protect the person, peace and harmony, non-violent conflict resolution, order and predictability).

Student Handout for Lesson 6

SOME GUIDELINES FOR EXPLORING RULES


RULES
WHAT IS THE RULE?
WHY DO WE HAVE THE RULE?
HOW WAS THE RULE MADE?
WHO MUST FOLLOW THE RULE?
WHAT HAPPENS IF THE RULE IS BROKEN?
--to the "rule breaker"
--to the rest of the group
WHO WOULD LIKE THE RULE? WHO WOULD NOT? WHY?
IS IT A GOOD RULE? HOW DO WE KNOW?
WHAT DOES THE RULE TELL US ABOUT THE THINGS THAT ARE IMPORTANT TO US?
HOW CAN THE RULE BE CHANGED?

Looking at the Rules for our Class:

1. Are some rules more important than others? Which ones? Why?
2. Is it ever right to "break" a rule? What criteria will be used?
3. How can we change the rules? Is it a good process?
4. How do our rules help us "live" the way we want to live?
5. When we look at our rules, what things do we see are important to us?

Lesson 7: Rules

Lesson Overview

The lesson introduces students to the need for fair rules, in the family, classroom and community. Students apply their critical thinking skills to different examples of rules. The lesson concludes with a discussion of the reasons for rules (i.e., laws, statutes, ordinances, etc.) in our society.

Lesson Objectives

Students will:

1. learn the criteria for what makes a good rule.
2. develop their critical thinking and analytical skills.
3. practice small groups processes.
4. understand the basic reasons for rules in our society.

Time: About 30 minutes.

Materials

1. Student handouts.
2. Chart pak, pens, masking tape.

Lesson Procedures

1. Introduce lesson and discuss objectives.
2. Lay a foundation for this lesson by asking:
   a. What rules/laws do you dislike the most?
   b. What rules/laws do you consider absolutely necessary for the survival of our society?
3. Form small groups and distribute student handout "Thinking About Rules."
   a. Assign one example to each small group and instruct each group to analyze each example in terms of fairness.
   b. Ask for small group reports.
      Generate a list of statements that indicate what is wrong with each example.
   c. Distribute handout "Evaluating Rules" and instruct groups to use it to analyze the rules.
      Ask for small group reports.
4. Review and Summary.
   a. What are the reasons for rules in our society?

      1) Safety
      2) Health
      3) Predictability and order
      4) Protect persons
      5) Protect property
      6) Protect individual rights
      7) Solve disputes without violence
      8) Peace and harmony

Student Handout for Lesson 7

THINKING ABOUT RULES

Directions:

Each of the following examples is a description of a problem and a rule that might help deal with the problem. As you read the rules, see if you can find something wrong with each one. Thinking about what is wrong with these rules should help you understand what it takes to make a good rule.

1 Coach Aona was angry because some students were coming to practice late. So she made the following rule: "Anyone who is late for practice must stay after practice for two hours every day for a month."

2. Some "Bench Warmers" were always getting off the bench and disturbing other people. So the coach read this rule to the team: "Ambulatory privileges are henceforth revoked pending further notification."

3. There was not enough room at the recreation center for everyone to use it at the same time. So the director made this rule: "Boys may use the center on Mondays only. Girls may use it the rest of the week."

4. There were many problems at the recreation center. So the director made a new rule which said: "All people must behave themselves."

5. Some students had been yelling too loudly in the recreation center. So the following rule was made: "No students may speak while in the center."

6. To help students become physically fit, the following rule was made: "During recess, each student is to jump over the school building three times."

Adapted from: Center for Civic Education/Law in a Free Society. 5115 Douglas Fir Drive, Suite I, Calabasas, California 91302.

Student Handout for Lesson 7

EVALUATING RULES

These are some questions that can be useful in evaluating rules. Use them to evaluate the rules you have just read.

1. What rule did the person make?
2. Why did the person think a rule was needed?
3. Aside from making a rule, what might be some other ways to deal with the problem?
4. What are some things that might happen because of this rule?
5. What is wrong with this rule?
6. Would you keep this rule as it is, change it, or do away with it? Why?

Lesson 8: Name That Crime

Lesson Overview

Students use their critical thinking and analytical skills to review a case study. In the process they learn to identify and categorize different crimes. By working in small groups, they develop their small group processes and communication skills. Students will increase respect for the rule of law and for private property.

Lesson Objectives

Student will:

1. read a case study and identify the crimes.
2. learn the differences between crimes.
3. learn the difference between a felony and a misdemeanor.
4. apply their critical thinking and analytical skills.
5. increase their respect for the rule of law and for the property rights of other people.

Time: 30 minutes.

Materials

Student Handout.

Lesson Procedures

1. Introduce the lesson and discuss the objectives.
2. Lay a foundation for this lesson.
   a. How many of you have been victims of crimes?
   b. What happened?
   c. How did you feel?
   d. Was the crime solved?
3. Form small groups of 3-5 students each.
4. Distribute Student Handout and instruct students to read along silently as you read the story.
   Answer students' questions to clarify the story.
5. Instruct small groups to list as many crimes as they can in a five minute period.
   a. Give the command START.
   b. After five minutes call STOP.
6. Ask each group to report the number of crimes they identified.
7. Review and summarize the lesson.
   a. Which crimes were felonies?
   b. Which crimes were misdemeanors?

Teacher Instructions

Give students 5 minutes to list the crimes that Kaipo and Wilma committed.

ANSWERS

1. Conspiracy: An agreement between 2 or more persons, followed by some overt act, to do an illegal act.
2. Manslaughter: Death of pedestrian.
3. Armed Robbery: Bank holdup.
4. Theft: Theft of first car.
5. Running red light.
6. Assault: Hitting the elderly woman.
7. Theft: Theft of second car.
8. Selling stolen property: Car to dealer.
9. Buying stolen property: Dealer purchase of Mark IV.
10. Jaywalking.
11. Leaving the scene of an accident.

Student Handout for Lesson 8

NAME THAT CRIME

Kreepy Kaipo and Wierd Wilma plan to hold up the First Hawaiian Bank. Although they are desperate for money to pay for their buds, they decide to be careful not to injure anyone. Kreepy Kaipo volunteers to drive the get-away car, a 1957 Bug, and Wierd Wilma equips herself with a high-powered squirt gun. She plans to keep the gun in her coat pocket so the bank teller will be fearful because of its shape. They carefully time the hold-up to arrive at the bank at a time when few customers are present.

Just before they left the apartment, Wierd Wilma gets a call from P'nut, a former boyfriend, causing them to be late. Kreepy Kaipo tries to make up time by driving fast and not stopping for red lights. They hit a woman in a cross-walk and decided not to stop and help her. The woman later dies.

When they reach the bank, Wierd Wilma notices that the gun has leaked badly all over her coat. They consider calling off the plan but finally decide to go ahead. The theft goes smoothly except that the teller sets off the burglar alarm as Wierd Wilma is running from the bank.

Thinking quickly, Kaipo and Wilma dump the Bug and slide behind the wheel of a 1985 Mark IV whose owner carelessly left the keys in the car. They drive to Pearl City and quickly sell the car to Honest Abe's Used Car Sales for $600.00.

With the money from the bank robbery, the money from the sale of the Mark IV and the still leaky squirt gun, they set off on foot for P'nut's home. As they cross the street to his house, a police officer stops them for jaywalking, discovers the money and places them under arrest.

Lesson 9: Juvenile Arrests

Lesson Overview

Students will learn the steps that are followed when a juvenile is arrested. New terms are introduced and students practice their analytical and communication skills.

This is an excellent opportunity to bring in guest speakers, a law enforcement officer from the juvenile division and a prosecuting attorney. They will be able to present both sides regarding the questions asked by police during a stop-arrest situation. Insight will be gained regarding the appropriate behaviors during a stop-arrest.

Lesson Objectives

Students will increase their understanding of and respect for:

1. the terms stop, frisk, search, arrest and Miranda Rights.
2. their constitutional rights before and after an arrest.
3. general arrest procedures.
4. appropriate behaviors during arrest.
5. analyzing and organizing information.
6. small-group processes and cooperating with other students.

Time: 60 minutes.

Materials

1. The Arrest student story handout.
2. Chalk board.
3. "What Happens If Arrested" handout.

Lesson Procedures

1. Introduce lesson and discuss objectives.
2. Define a stop vs. an arrest (Terry vs. Ohio). Place terms and definitions on the board. Discuss the two terms with the class.
   a. A stop occurs when a person's actions or behavior appear suspicious to a police officer. A stop is a question and answer period. A juvenile should, but is not required to, give his or her correct name, age, address and phone number. Based on a Supreme Court decision, Kolander vs. Lawson (May 1983), giving this information is no longer a legal requirement. The juvenile need not give any information to the officer. This is where guest speakers could play an important role . They could discuss the merits of juveniles and law enforcement officers.

b. During a stop, no charges are made. The juvenile should ask if he or she is free to leave the area. A stop does not constitute a loss of freedom.

c. An arrest occurs when a police officer has probable cause to believe a juvenile has committed, is committing or is going to commit a law violation. He/she then will be informed that he/she is under arrest and will be taken into police custody. An arrest takes place when an individual is not allowed to leave the area; thus, a loss of freedom takes place.

3. Define a frisk vs. a search (Terry vs. Ohio).

a. When a stop is made, the officer has the right to frisk or "pat down" the outer garments of the individual. The limited purpose of a frisk is to check for concealed weapons.

b. If the officer discovers an item he or she believes to be illegal, a thorough search can take place. This is where the insides of garments, such as pockets, are searched by the officer.

c. A stop and frisk is based on suspicion. This will occur if the officer suspects you are about to, are, or have committed a law violation.

d. A search and arrest takes place based on probable cause. This is information gathered during a stop-frisk which confirms the officer's suspicions.

4. Read the story "The Arrest." Upon completion have the class evaluate the conduct of Sam and Jan.

5. Question to review the arrest:

a. Do you think Sam and Jan should have been stopped? Why?

*If Sam or Jan tried to resist, the officers can use force necessary to overcome them. In addition, the person can be charged with resisting arrest. If Sam or Jan tried to hit the police officer, he/she could be charged with a felony. Sam and Jan did the smartest thing they could have done. They stopped and didn't resist.

b. Do you think the HPD had the right to stop Sam and Jan?

*Most states give police officers authority to stop and question you if the officer reasonably suspects you are committing, have committed, or are about to commit a crime. The police officer only has to be suspicious.

c. Should the boys give the officers their correct names, ages, phone numbers and addresses?

*Officers may ask one's name, age, address and for an explanation of your suspicious behavior. You should tell them your name, age, phone number and address, although there is no law that requires you to do so.

d. Are the boys required by law to give their correct names, ages, phone numbers and addresses?

*NO, the 1983 Kolander vs. Lawson, U.S. Supreme Court decision states that, "states may not authorize the arrest and prosecution of an individual for failing to produce identification on demand for a police officer."

e. Do you think the HPD officers have the right to ask where the boys are coming from?

*Yes. Most states give police officers the authority to stop and question you if they have reason to suspect you have committed, are committing, or are about to commit a law violation. The police officer only has to be suspicious.

f. Would you advise Sam and Jan to answer the question? Why?

*If asked specific questions about a crime, you do not have to answer. However, this refusal to cooperate may provide enough suspicious evidence to cause the officer to arrest you for further investigation.

6. Write the term Miranda Rights on the board; define and list the rights.

*Miranda Rights are the rights which must be read to every individual at the time of questioning. They are:

a. You have the right to remain silent. Anything you say can be used against you in court.
b. You have the right to a lawyer and to have one present while you are being questioned.
c. If you cannot afford a lawyer one will be appointed for you before any questioning begins.

7. Return to "The Arrest" and ask for a recap of the story to this point. Continue reading the story. Sam and Jan gave the officers their correct names, ages and addresses. Sam is 16 years old, Jan is 15 years old.

8. The boys did not tell why they were running. However, the woman identified Sam as having snatched her purse. The police placed Sam and Jan under arrest by saying "You're under arrest." Since the police didn't plan to ask any more questions, they did not read Jan and Sam their Miranda Rights. They took the boys to the police station.

When Sam and Jan got to the station, the police officer gave them a form with their Miranda Rights written on it and read them their rights. The officer asked them to sign the form as proof their rights had been read to them. It is not necessary for the arresting officer to read Miranda rights to a person at the point of arrest if no questioning about the law violation will take place at that time.

9. Discuss juvenile rights during an arrest.

*The rights as established in the Gault case are:

a. Juvenile cannot be forced to answer questions.
b. Juvenile must be informed that he/she is being placed under arrest and the charges.
c. Juvenile must be informed of his/her rights before being questioned.
d. Parents must be informed of the juvenile's arrest and place of detainment, within a reasonable time period.
e. Parents must be informed of the juvenile's rights, especially self incrimination and right to counsel.

10. Review of the general arrest procedure.

Juvenile will be informed of charges and formal arrest. He/she will then be taken to the police station. He/she will be photographed and fingerprinted. Before any questioning takes place, the suspect must be read his/her constitutional rights. A juvenile need not answer any questions or sign documents without a lawyer present. Juvenile should immediately request that a parent or guardian be contacted.

11. Recap "The Arrest" and finish reading the story. Follow-up with questions:

a. Sam and Jan were searched for weapons and evidence. They were fingerprinted and photographed. In addition, all of their money and personal possessions were taken.

b. The police gave them a receipt and asked them to sign it. They did so. Next, the police asked Sam and Jan the names and telephone numbers of their parents so the police could contact them. Sam and Jan were not allowed to make the telephone call themselves. The police officer did not try to question them since their parents weren't there.

c. Once the arrest procedure was completed, the police must decide whether to release Sam and Jan to their parents or detain them.

THE ARREST

Sam and his friend, Jan, decide to go shopping at Ala Moana Center just to kill an otherwise dull Saturday afternoon. The shopping center stores and walkways are jammed. It is the week before Christmas.

As you walk through Ala Moana, you see disturbance. Sam and Jan are running toward you followed by a woman shouting, "Stop Them! Stop Them! They have my purse!" You see Sam drop a purse and continue to run toward Ala Moana Blvd. A few seconds later, several HPD officers appear from somewhere in the crowd and chase Sam and Jan. When the police get within shouting distance, they call for the runners to "Stop, Don't move!" The runners stop right away.

The HPD officers tell them to "Lean against the wall and spread your legs." The officers then frisk (pat down) their clothing for instruments or weapons that could cause injury. The frisk reveals no weapons. The officers then ask each boy for his name, age, address, phone number and where he was coming from.

The HPD officers then state: "You are being arrested on charges of theft." The officers conduct a thorough search of the juveniles, including pockets, packages, book bags, etc. Whereas the frisk was to check for concealed weapons, the search is to find evidence of the crime.

The officers handcuff both juveniles, place them in the back seat of a patrol car and transport them to the nearest police station.

At the police station, the juveniles are asked for their home telephone numbers so their parents can be informed of the arrest.

The boys are instructed to turn over all possessions to the police and they are each given a receipt with a list of their personal property.

The boys are photographed and their fingerprints are taken. This establishes a permanent record with the HPD.

They are taken to separate rooms for questioning. Before the questioning starts, they are read their Miranda Rights and they sign the form as evidence they were notified of their rights.

Student Handout for Lesson 9

WHAT HAPPENS IF ARRESTED AS A JUVENILE?

A. If you are stopped by the police:

1. Give the police your correct name, address and telephone number, if asked to do so.

2. Be courteous.

3. Ask the officers if you are being placed under arrest.

4. Do not resist because you can be charged with a law violation if you do.

B. If you are arrested:

1. Don't resist. Resisting arrest (fighting or struggling with the police, swearing at them, giving a false name, trying to run away from them, etc.) can only get you into more trouble. Whether you are innocent or guilty, you are better off if you don't fight the police. If you do, you can be charged with a separate offense of assaulting a police officer, even if you are not guilty of the law violation for which you are arrested.

2. Remember, tell the police your name, address and telephone number, but whatever you do, don't lie. Anything you say can be used against you in court.

3. Ask for a lawyer. As a juvenile, you are entitled to a lawyer, and if you can't hire a lawyer, one will be appointed for you.

4. If you want to talk to your parents, ask to talk to them in a private room.

5. Neither you nor your parents should sign any paper until your lawyer okays it. Anything you sign can be used against you in court.

C. Remember:

Even though you might not want your family to know you are in trouble, you have a better chance of being released if your parents or guardians come to the police station. So it's best to call them--or ask the police to call them.

Lesson 10: Drunk at a Football Game

Lesson Overview

Students will use a familiar situation to learn about court procedures and the application of the rule of law. They will apply their analytical and reasoning skills to the case and, in the process, learn the case study method.

Lesson Objectives

Students will:

1. learn to analyze a case for the important facts and issues.
2. increase their respect for non-violent methods of solving disputes.
3. identify the difference between criminal and civil cases.
4. develop their critical thinking and problem-solving skills.

Time: Approximately 60 minutes.

Materials

1. Student Handout.
2. Chart pak, pens, masking tape.

Lesson Procedures

1. Introduce lesson and discuss the objectives.
2. Lay a foundation for this lesson.
   Have you ever been someplace where a drunk person disturbed you or even hurt someone?
3. Form small groups of students (3-5 students).
4. Distribute Drunk at a Football Game Case Study.
   a. Read the case to students and have them complete the Student Worksheet.
   b. Ask each small group to report the facts from the Worksheet.
      Keep a list of facts on the chart pak.
   c. Ask each group to report the main issue or question in the case.
      *ISSUE: When is the operator of a stadium liable to injured persons for the acts of drunken spectators.
   d. Ask each group to prepare arguments for the Bearmans and the University.
   e. Ask each group to make a decision in this case.
   f. Distribute the Lower Court Decision and compare it with students' judgements.
      Discuss similarities and differences.

5. Inform students that the case was appealed to a higher court.
   a. Instruct students to prepare arguments for the Bearmans and the University, on appeal.
   b. Have students role-play judges on the court of appeals and render a decision.
   c. Distribute Court of Appeals Decision and discuss it.
6. Review the lesson.
   a. What is a criminal case? What is a civil case? What type of case is this?
   b. Do you agree with the Court of Appeals? Why or why not?
   c. Should this ruling apply to the host/hostess at parties? bartender?

Student Handout for Lesson 10

CASE STUDY

As every sports fan knows, drunk spectators pose many problems including interference with others' enjoyment of the game. Sometimes a drunk gets out of hand and causes injury to another fan. How much responsibility does an operator of a place of public entertainment where alcohol is served have to see that such harm does not occur?

James and Christenna Bearman attended a football game at Notre Dame. They left the stadium shortly before the game ended. Walking through a parking lot to their car, they came upon two drunk men who were fighting. One fell down, and the fighters walked away from each other. One of the men walked past the Bearmans and fell onto Mrs. Bearman, knocking her to the ground. She broke her leg. There were no ushers or security people in the area.

The Bearmans sued the Notre Dame University for damages claiming negligence.

----------Cut on this line----------

(Distribute after students have reached a decision.)

Lower Court Decision

In an Indiana court, Mrs. Bearman claimed that the University had breached its duty to protect spectators from injuries by allowing drunk persons at its football games, because it knew there would be a lot of drinking. The University argued that it had a duty only when it knew of a danger to a person. The lower court dismissed the case after hearing the evidence, without presenting it to a jury.

COURT OF APPEALS DECISION

The Court of Appeals of Indiana said the lower court made a mistake. The appellate court noted that the stadium owner "has a duty to police the area if past experience shows that there is a likelihood of conduct by third persons which is likely to endanger a visitor, even though the stadium owner has no knowledge of any specific individual who might cause trouble."

Here, said the court, the University was aware that alcoholic beverages were consumed at the stadium before and during football games, and that "tailgate" parties were held in the parking lot. Thus, it had to take reasonable precautions to protect those attending its football games from injury caused by acts of drunks. So the inquiries as to whether the measures taken by the University were inadequate, and, if so, whether such inadequacy contributed to Mrs. Bearman's injury, were questions of fact for the jury. The case was sent back for a new trial. (Bearman v. University of Notre Dame, 453 N.E. 2d 1196)

Student Handout for Lesson 10

STUDENT WORKSHEET

1. Who are the parties in this case?

   Plaintiff _____ Defendant _____

2. What are the important facts in this case?

3. What is the main question or issue in this case?

4. If you were the judge, what would you decide? List your reasons.

5. What did the court decide?

Lesson 11: The Severity of Crime

Lesson Overview

This is a lesson for students to practice their analytical and critical thinking skills as they participate in a small group problem-solving activity. They will make decisions about the severity of different crimes and compare their ratings with a national survey.

Lesson Objectives

Students will:

1. rank-order several crimes in terms of their severity.
2. apply their communication and problem-solving skills in small groups.
3. compare their values with those from a national survey.
4. develop respect for reaching decisions by consensus.

Time: Approximately 50 minutes.

Materials

1. Student handout.
2. Chart pak, pens, tape.

Lesson Procedures

1. Introduce lesson and discuss the objectives.
2. Lay a foundation for this lesson.
   a. What is the most serious crime that comes to your mind?
   b. What is the least serious crime you can think of?
   c. What makes them different?
3. Form small groups of 3-5 students each.
4. Distribute the Severity of Crime handout.
   a. Instruct students to rank-order the crimes 1 = most severe, 10 = least severe.
   b. Instruct students to use consensus to reach a decision.
   c. Ask for group reports, recording selections on chart paper.
5. Report results from the national survey.
   Discuss similarities and differences between group and national results.
6. Review lesson.
   a. What makes some crimes more severe than others.
   b. Why do people rank crimes at different levels of severity?

Student Handout for Lesson 11

THE SEVERITY OF CRIME

Directions

In your group, rank-order the list of crimes in terms of their severity. First, working alone, rank order the list using your own values, ideas and experiences. Second, discuss your rankings with the group. Third, as a group, arrive at a consensus on the severity of crimes.

1 = Most severe crime
10 = Least severe crime

_____ A. A person runs a narcotics ring.

_____ B. A person stabs a person to death.

_____ C. A person plants a bomb in a public building. The bomb explodes and one person is killed.

_____ D. A person robs a victim at gunpoint. The victim struggles and is shot to death.

_____ E. A man forcibly rapes a woman. As a result of physical injuries, she dies.

_____ F. A person intentionally injures a victim. As a result, the victim dies.

_____ G. A parent beats his young child with his fist. As a result, the child dies.

_____ H. A person stabs a person to death.

_____ I. A factory knowingly gets rid of its wastes in a way that pollutes the water supply of the city. As a result 20 people die.

_____ J. A man stabs his wife. As a result she dies.

NATIONAL SURVEY RESULTS

How do people rank the severity of crime?

1. 72.1% - A person plants a bomb in a public building. The bomb explodes and 20 people are killed.

2. 52.8% - A man forcibly rapes a woman. As a result of physical injuries, she dies.

3. 47.8% - A parent beats his young child with his fist. As a result, the child dies.

4. 43.9% - A person plants a bomb in a public building. The bomb explodes and one person is killed.

5. 43.2% - A person robs a victim at gunpoint. The victim struggles and is shot to death.

6. 39.2% - A man stabs his wife. As a result she dies.

7. 39.1% - A factory knowingly gets rid of its wastes in a way that pollutes the water supply of the city. As a result 20 people die.

8. 35.7% - A person stabs a person to death.

9. 35.6% - A person intentionally injures a victim. As a result, the victim dies.

10. 33.8% - A person runs a narcotics ring.

Lesson 12: Corrective Justice*

Lesson Overview

This lesson introduces students to the complications the courts face in taking appropriate corrective action. Students learn the influence of mitigating and aggravating circumstances on sentencing practices. Students practice analytical and small group process skills.

Lesson Objectives

Students will:

1. learn how to identify the facts and issues in a criminal case.
2. improve their analytical and critical thinking skills.
3. understand how mitigating circumstances may reduce the sentence a person receives.
4. gain respect for the rule of law and non-violent methods of resolving conflict.

Time: Approximately 60 minutes.

Materials

1. Chart paper, pens, masking tape.
2. Student handouts.

Lesson Procedures

1. Introduce lesson and discuss objectives.
2. Lay a foundation for this lesson by discussing different ways people resolve conflict in our society.
   Have you ever had a problem so serious that you could not think of any person who could help you?
   This is a case like that.
3. Form small groups (3-4 persons each).
   a. Distribute Case History and Student Worksheet (withhold Case Outcome).
   b. Read story to the entire group.
      Instruct students to use the information to complete the Student Worksheet.
   c. Ask each small group to simulate the roles of judges and decide on appropriate corrective action for Robert Lee Moody.
      1) Compare and contrast different rulings.
      2) Probe for the societal values that each decision is protecting or reinforcing.

* Adapted from an article in Newsweek, March 15, 1984.

d. Distribute Case Outcome handout and read the decision to the total class.

4. Review.
   a. How do you feel about the outcome?
   b. What would have been better corrective action?
   c. What are the goals of corrective justice in our society?
      1) Restitution (pay back)
      2) Retribution (Revenge)
      3) Rehabilitation (Reform)
      4) Deterrance
      5) Removal from society
   d. Which of these goals applies to the judge's decision in this case?

Student Handout for Lesson 12

CASE HISTORY

Robert Lee Moody thought God was telling him to kill his father, but almost anyone who knew the father might have offered similar advice. Robert Ira Moody, the father, was in the words of one California lawman, "a man who could use some killing." He had sex with his two teenage daughters and had recently started sexually fondling his 11-year-old daughter.

To help pay for a pleasure boat, the father forced his wife into prostitution. He was a child beater, and once sliced his older son's head open with a screwdriver (the boy now lives in a mental hospital).

In March of 1983, his younger son, Robert Lee Moody, then 18 and a professed born-again Christian, sighted him down the barrel of a 12-gauge shotgun and literally blew him apart. It was a slaying in cold blood, intentional and with prior planning.

The Southern California case showed again that the law often stops at a family's front door. Twice police had investigated complaints that the father was sexually abusing his daughters; twice the mother refused to press charges. Authorities managed to place one girl in foster care, but the terror continued.

The morning of the shooting, young Moody awoke to find his father smashing his mother's head into a microwave oven. He tried to stop the assault, then frantically called police. When they arrived, Mrs. Moody refused to press charges. Robert Ira said he would kill his son if he saw him again.

So Robert Lee lay in wait outside the house for his father, believing that the Lord had led him to the high-powered shotgun shells he used. Then he motorcycled to the police station to surrender: "I just killed my father," he confessed.

His lawyer pleaded temporary insanity. The prosecutor, reviewing the family history, dropped the charges to voluntary manslaughter. The judge found Robert Lee guilty of voluntary manslaughter for killing a man "the planet can rotate quite nicely without."

The judge was faced with a problem: what punishment fits the crime? From the start, citizens had been writing the judge to urge leniency for the boy. After one letter advised a medal for young Moody, the judge suggested that future writers should offer more practical solutions.

A reporter understood the judge to mean that he wanted public suggestions. The story appeared in the Los Angeles Times,

and the judge's office quickly started looking like a mail room just before Christmas. Seven hundred letters arrived, and the judge's wife and a colleague began joking about a new TV quiz show to be called "Name That Sentence."

Only a few recommended prison. While insisting that he didn't intend to solicit advice, the judge was intrigued by the exercise. "I'm not one of those judges who thinks that the public should be ignored," he says.

What sentence would you order if you were the judge?

Student Worksheet for Lesson 12

Review the case history of Robert Lee Moody and answer the following questions:

1. What are the important facts in this case?

2. What are the issues in this case?

3. What are the arguments to convict Robert Lee Moody, the son?

4. What are the arguments to acquit Robert Lee Moody?

5. What sentence would you order if you were the judge?

Student Handout for Lesson 12

CASE OUTCOME

After finding Robert Lee Moody guilty of Voluntary Manslaughter, he placed Robert Lee on probation for five years, two of which he must spend in "Peace Corps-like" missionary work. "Young Moody said that he wanted to help the poor," the judge said. "We're not talking about two weeks at the Hilton. We're talking about years of hard work."

The prosecutor was against the sentence. "Moody's father may have had a lot do with it," he said, "but the fact remains that the young man is a violent person."

Moody entered training at the Evangelical Youth With a Mission Center in California. After six months of psychiatric counseling, he was assigned to Vietnamese-refugee camps in Hong Kong.

Interviewed, young Moody said he thinks the murderous message came from Satan. "I loved my father, and I wish I could have reached him," he said. And where does he think his father's soul currently resides? "If he didn't repent in his last seconds, he's in hell. If he didn't according to God, that's where he belongs."

Lesson 13: Kimo's Choice

Lesson Overview

This lesson is a dilemma that people often find themselves in. It is designed to help students think about choices they have when faced with a criminal act. The lesson helps students develop communication skills and compare their values and opinions with those of other students. Students are encouraged to express their feelings and ideas without the teacher judging the quality of the student contributions.

Lesson Objectives

Students will:

1. focus on values common in our society, i.e., private property, honesty, friendship, etc.
2. increase their problem-solving and decision-making skills.
3. simulate dilemmas that people face and discuss alternative actions.
4. improve their analytical and group process skills.

Time: Approximately 40-60 minutes.

Materials

1. Dilemma handout.
2. Chalk board or butcher paper and easel.

Lesson Procedures

1. Introduce lesson and discuss its objectives.
   Ask students if they have ever observed their friends take something without paying for it. What did they do?
2. Explain that you are going to read a story to the class and they will be asked what they would do in the situation.
3. Distribute copies of the dilemma to the class.
4. Read the dilemma to the class. What should Kimo do?
5. Possible student responses.
   a. He should not tell. All stores expect to have some rip-offs. Haku is a friend and telling would destroy the friendship, while not telling would probably ensure an even stronger relationship because Haku would be grateful to Kimo.
   b. Kimo should tell. He was not responsible; it was Haku's business. Haku stole, he must take the risk of being caught. Why should Kimo get into trouble for something he did not do? Besides, this is a small store that can't afford the loss, unlike the larger department stores.

c. Kimo should not tell. The store owner had done nothing for him; there is no mention of a reward so it would not be right for him to help out by giving Haku's name. Kimo has done nothing and he does not wish to be involved; it can only bring him trouble.
d. He should tell for everyone's sake. Stealing is a crime; it is wrong. We all have to obey the laws or our society cannot continue to exist. Haku has responsibilities as a citizen in this society. We cannot ignore the laws when it pleases us.

6. Ask students to imagine (or role play) they are one of the following persons and advise Kimo what to do.
   a. Store manager
   b. Haku
   c. Police officer
   d. Kimo
   e. Haku's parents
7. Debrief lesson.
   a. How did you feel during this lesson?
   b. What did you learn that is important to you?
   c. What values of our society are being protected by laws against theft?

Student Handout for Lesson 13

KIMO'S CHOICE

In order to show that he too has some smart new clothes, Haku decides to steal a blue silky shirt with baggy surfer-shorts, just like the new ones that other boys have. He enters a large department store in Waikiki and spots the clothing he wants. But the store is crowded and he is not sure that he can get them without being seen. So he leaves and enters a smaller store on Kalakaua where the manager is the only person present. Just as Haku is putting the clothes in his book bag, his friend Kimo walks in and say's "Howzit bra'" and sees the theft taking place.

Haku leaves the store fast as the manager turns around. She sees Haku running out of the store and immediately becomes suspicious. It takes only seconds for her to notice that clothing is missing. Several articles of clothing have been stolen over the past month and she is angry to see it happen again. Realizing that Haku is well on his way, she grabs Kimo and tells him he will get into trouble unless he tells her the name of his friend. What should Kimo do?

Lesson 14: Shipwrecked Sailors

Lesson Overview

This experiential activity is designed to help students improve their reasoning and analytical skills by applying them to a legal and moral situation. Students play the roles of prosecutor, judge and jury. This lesson uses the case study method. Through this method, students learn to analyze problems and develop their critical thinking, decision-making and communication skills. They develop respect for the rule of law.

Lesson Objectives

Students will increase:

1. their awareness of the relationships among laws, society and the individual.
2. their critical thinking and reasoning skills.
3. their communication and decision-making skills.
4. their understanding of the different roles and responsibilities of people in a courtroom.
5. their respect for resolving conflict in non-violent ways.

Time: 60 minutes

Materials

1. Student handouts.
2. Chalk board or chart pak, pens and masking tape.

Lesson Procedure

1. Introduce lesson and discuss its goals.
2. Divide class into two groups of equal size.
3. Read "Shipwrecked Sailor" with students following along on their own copies.
4. Help students clarify the facts of the case. List students' answers on the chalk board or chart paper. Suggested questions:
   a. Who are the people involved in the case?
   b. What happened in this case?
   c. What facts are important?
5. Next, identify the issues by asking the following questions:
   a. Do you think Dudley and Stephens should be tried for murder?
   b. What values are at stake in this case?
   c. Is there ever a time when taking the life of a person is justified?
   d. What purposes would be served by convicting Dudley and Stephens of murder?

6. Explain that the law attaches different penalties (punishments) for similar acts based on (1) the facts of the case; (2) the situation (circumstances); and, (3) the individual's state of mind at the time the crime was committed.
   a. Distribute Student Handout and discuss the penalties. (Adapted to Hawaii)
      1) Murder. Intentionally, willfully, deliberately (decides to); malice (intending to) with premeditation.
         Penalty: 1. Twenty years to life without parole if victim is peace officer.
                  2. Twenty years to life with parole for all other people.
      2) Manslaughter. Murder without malice (e.g., kill someone in the heat of anger).
         Penalty: 10 years imprisonment.
      3) Negligent homicide. Kill someone while driving recklessly or too fast.
         Penalty: 5 years imprisonment.
7. Divide into three groups. Designate one group as defense attorneys for Dudley and Stephens; and another group as prosecuting attorneys for the state; and, the third group as judges. Instruct the two attorney-groups to prepare arguments they will make to the judges. Instruct judges to review the case to prepare to make their decision. Attorneys argue their positions. The judges decide whose arguments best explain the case and then decide on the penalty, if there is one.
8. Debrief the lesson.
   a. What were your feelings during this activity?
   b. What are some "tough" decisions you have made in your life?
   c. What did you learn during this activity?
   d. What would you have done if you were one of the people in the life boat?
   e. Is this a fair method to solve problems?

Student Handout for Lesson 14

THE CASE OF THE SHIPWRECKED SAILORS

The ship went down so suddenly that there was no time to send an S.O.S. The only survivors were three sailors. Brooks, Dudley and Stephens were saved only because of the lifeboat that was drifting aimlessly. Each sailor managed to make it to the lifeboat. In the boat they had no food or water. They had no fishing gear or other equipment to help get food from the ocean.

After recovering from the shock of the shipwreck, Brooks, Dudley and Stephens discussed their problem. How would they keep from starving? Dudley, the ship's navigator, said they were at least 1,000 miles from land. He also knew that they were so far off course that no ships would pass them. Stephens, the ship's medical officer, stated that a person could not live longer than 30 days without food. The only nourishment they could rely on was from rain water that might fall from time to time. Stephens said that if one of the three died before the others, the remaining two could live for a while longer by eating the body of the third person.

Twenty-five days passed and the three sailors were still alive but weak. Brooks suggested that the three of them draw straws and that the loser be killed and eaten by the other two. The next day straws were drawn and Brooks lost. At this point, Brooks changed his mind and wanted to get food another way. Even though Brooks refused to go along, Dudley and Stephens decided that Brooks would die soon anyway because he was the weakest of the three. Brooks was killed and eaten.

Five days later, Dudley and Stephens were rescued by a passing ship. After recovering from their ordeal, they were placed on trial for murder. The state in which they were tried had the following law: "Any person who deliberately takes the life of another is guilty of murder."

Student Handout for Lesson 14

POSSIBLE PENALTIES FOR THE SAILORS
(Hawaii Statute)

1. Murder. Any person who intentionally, willfully, deliberately (decides to); malice (intending to) with premeditation takes the life of another.

   Penalty: A. Twenty years to life without parole if victim is a peace officer.

   B. Twenty years to life with parole for all other victims.

2. Manslaughter. Murder without malice (e.g., kill someone in the heat of anger).

   Penalty: 10 years imprisonment.

3. Negligent homicide. Take a person's life while driving recklessly or too fast.

   Penalty: 5 years imprisonment.